



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/552,935

10/11/2005

Minjoon Kim

VT7-005US

6898

959 7590 05/28/2008

LAHIVE & COCKFIELD, LLP
ONE POST OFFICE SQUARE
BOSTON, MA 02109-2127

EXAMINER

RAJ, RAJIV J

ART UNIT

PAPER NUMBER

3626

MAIL DATE

DELIVERY MODE

05/28/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/552,935	Applicant(s) KIM ET AL.	
	Examiner RAJIV J. RAJ	Art Unit 3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,9,11,18-23,26,30,34-39,43,45,46,52-56,58,59 and 62-73 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,9,11,18-23,26,30,34-39,43,45,46,52-56,58,59 and 62-73 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>20 March 2006 and 18 May 2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This action is in reply to the application filed on 11 October 2005.
2. Claims 4-6, 9, 26, 38, 43, and 46 have been amended.
3. Claims 65-73 have been added.
4. Claims 7-8, 10, 12-17, 24-25, 27-29, 31-33, 40-42, 44, 47-51, 57, and 60-61 have been canceled.
5. Claims 1-6, 9, 11, 18-23, 26, 30, 34-39, 43, 45, 46, 52-56, 58, 59, and 62-73 are currently pending and have been examined.

Information Disclosure Statement

6. Information Disclosure Statements filed on 20 March 2006 and 18 May 2007 have been considered. Initialed copies of the Form 1449 is enclosed herewith.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claim 26 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Examiner takes the position that claim 26 which reads, *The on-line healthcare system as claimed in claim 13*, should read "The on-line healthcare system as claimed in claim 19".

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3626

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

11. Claims 1, 2, 4-6, 9, 11, 18-23, 26, 30, 62-64 and 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alleckson et al. (US 6336900 B1) (hereinafter Alleckson) in view of Frid et al. (US 5857967) (hereinafter Frid).

12. **Examiner's Note:** The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Claim 1

Alleckson as shown, discloses the following limitations:

- *converting measured data so as to generate biological measurement information data and/or measurement information data including the biological measurement data, (see at least Alleckson Column:6 Lines:60-67 Column:7 Lines:1-5 & 60-67)*
- *automatically transmit/receive the measurement information data to/from the portable measurement unit by means of a program stored therein. (see at least Alleckson Column:2 Lines:62-67 Column:3 Lines:1-10)*

Art Unit: 3626

Alleckson does not disclose the following limitations, however Frid, as shown does:

- *a portable measurement unit for performing a biological measurement for diagnosing a user's health; (see at least Frid Column:4 Lines:14-25)*
- *a cradle connected to the portable measurement unit (see at least Frid Column:1 Lines:16-21 & 33-40)*

It would have been obvious to one of ordinary skill in the art to add these features into Alleckson. One of ordinary skill in the art would have added these features into Alleckson with the motivation of providing a more efficient, accurate, and reliable system for home healthcare monitoring. (see at least Frid Column:1 Lines:63-67).

Claim 2

The combination of Alleckson/Frid disclose all of the limitations of claim 1. Alleckson further discloses the following limitations:

- *server connected to a communication network and (see at least Alleckson Fig:3 Items:130, 138, & related text)*
- *including a database for storing measurement information data, (see at least Alleckson Column:4 Lines:50-51)*
- *the measurement information data being classified by collecting and analyzing the measurement information data transferred from the cradle (see at least Alleckson Claim:3)*

Claim 4

The combination of Alleckson/Frid disclose all of the limitations of claim 2. Alleckson further discloses the following limitation:

- *a medical center allowing a medical specialist to transfer diagnosis information about the measurement information data to the server or the emergency server by using the measurement information data received from the server or the emergency server (see at least Alleckson Column:3 Lines:48-58)*

Claim 5

The combination of Alleckson/Frid disclose all of the limitations of claim 2. Alleckson further discloses the following limitation:

- *the cradle automatically transmits or receives the measurement information data and the diagnosis information to or from the server by a predetermined time interval (see at least Alleckson Column:2 Lines:62-67 & Column:3 Lines:1-10)*

Claim 6

The combination of Alleckson/Frid disclose all of the limitations of claim 2. Alleckson further discloses the following limitation:

- *the cradle automatically transmits or receives the measurement information data and the diagnosis information to or from the server immediately after the portable measurement unit is coupled with the cradle (see at least Alleckson Column:2 Lines:62-67 & Column:3 Lines:1-10)*

Claim 9

The combination of Alleckson/Frid disclose all of the limitations of claim 1. Alleckson further discloses the following limitation:

- *the cradle makes communication with the server or the emergency server by using dual tone multi-frequency (DTMF) (see at least Alleckson Fig:2 Items:106,114,128,130, & related text)*

Examiner notes that it is understood by those skilled in the art that *dual tone multi-frequency* is an obvious component in using telephone lines and telephone devices.

Claim 11

The combination of Alleckson/Frid disclose all of the limitations of claim 1. Frid further discloses the following limitation:

- *the measurement information data includes at least a part or all of the biological measurement data, a measurement time of the biological measurement data, an ID of the portable measurement unit, and an ID of a user (see at least Frid Fig:2 & related text)*

It would have been obvious to one of ordinary skill in the art to add these features into Alleckson. One of ordinary skill in the art would have added these features into Alleckson with the motivation of

providing a more efficient, accurate, and reliable system for home healthcare monitoring. (see at least Frid Column:1 Lines:63-67).

Claim 18

The combination of Alleckson/Frid disclose all of the limitations of claim 1. Alleckson further discloses the following limitation:

- *the cradle includes a second connection unit connected to the portable measurement unit or the server and/or a second central processing unit for processing, analyzing, or storing data (see at least Alleckson Fig:2 Items:108A, 114 & related text)*

Claim 19

The combination of Alleckson/Frid disclose all of the limitations of claim 18. Alleckson further discloses the following limitation:

- *the connection unit includes a second communication module for transmitting/receiving information using a second communication port of the cradle or the second communication port and wired/wireless communication (see at least Alleckson Column:9 Lines:58-67 & Column:10 Lines:1-4).*

Claim 20

The combination of Alleckson/Frid disclose all of the limitations of claim 18. Alleckson further discloses the following limitation:

- *the data includes at least one selected from the group consisting of the measurement information data, environment data, indication data for indicating whether or not new data exist, range indication data for indicating a range of the new data, and error data (see at least Alleckson Column:4 Lines:38-44)*

Claim 21

The combination of Alleckson/Frid disclose all of the limitations of claim 20. Alleckson further discloses the following limitation:

Art Unit: 3626

- *the environment data includes an address of the server and time for transferring the measurement information data (see at least Alleckson Column:10 Lines:64-67 & Column:11 Lines:1-6).*

Claim 22

The combination of Alleckson/Frid disclose all of the limitations of claim 21. Alleckson further discloses the following limitation:

- *the environment data further includes an emergency address of the server or an address of an emergency server for transferring the measurement information data if an analysis result of the biological measurement data measured by the portable measurement unit determines that an emergency occurs (see at least Alleckson Column:10 Lines:64-67 & Column:11 Lines:1-6).*

Claim 23

The combination of Alleckson/Frid disclose all of the limitations of claim 20. Alleckson further discloses the following limitation:

- *the environment data is remotely established and modified through information transferred from the server (see at least Alleckson Column:14 Lines:1-26).*

Claim 26

The combination of Alleckson/Frid disclose all of the limitations of claim 19. Alleckson further discloses the following limitation:

- *the first communication port and the second communication port have concavo-convex electrodes attached thereto, so that the portable measurement unit is coupled with the cradle (see at least Alleckson Column:4 Lines:26-30).*

Claim 30

The combination of Alleckson/Frid disclose all of the limitations of claim 1. Alleckson further discloses the following limitation:

- *the measurement information data temporarily stored in the portable measurement unit are delivered to the cradle when the portable measurement unit is coupled with the cradle (see at least Alleckson Column:11 Lines:51-64)*

Claim 62

Alleckson as shown, discloses the following limitations:

- *(a) allowing the cradle to perform biological measurement for diagnosing health of a user; (see at least Alleckson Column:6 Lines:60-67 Column:7 Lines:1-5 & 60-67)*
- *(b) allowing the signal processing module to convert a result of the biological measurement into biological measurement data; (see at least Alleckson Column:9 Lines:58-67 Column:10 Lines:1-4)*
- *(d) transferring the measurement information data including a part of the biological measurement data to the cradle by using the first communication module of the portable measurement unit, the second communication module of the cradle, (see at least Alleckson Column:4 Lines:38-55 Fig:1,2 & related text)*
- *(e) transferring the measurement information data received by the cradle to the server by using the program included in the cradle and the second communication module of the cradle. (see at least Alleckson Column:4 Lines:38-55 Fig:1,2 & related text)*

Alleckson does not disclose the following limitations, however Frid, as shown does:

- *the program included in the cradle, the cradle being automatically operated when the portable measuring unit is contacted with the cradle, (see at least Frid Column:1 Lines:29-41 & Column:5 Lines:52-67)*

It would have been obvious to one of ordinary skill in the art to add these features into Alleckson. One of ordinary skill in the art would have added these features into Alleckson with the motivation of providing a more efficient, accurate, and reliable system for home healthcare monitoring. (see at least Frid Column:1 Lines:63-67).

Claim 63

The combination of Alleckson/Frid disclose all of the limitations of claim 62. Alleckson further discloses the following limitation:

- *(e) transferring the measurement information data received by the server to a medical center or a communication terminal (see at least Alleckson Column:3 Lines:48-58)*

Claim 64

The combination of Alleckson/Frid disclose all of the limitations of claim 63. Alleckson further discloses the following limitation:

- *(f) allowing the medical center to transmit diagnosis information to the server; (see at least Alleckson Column:15 Lines:55-67 & Column:16 Lines:1-6)*
- *(g) transferring the diagnosis information to the cradle; (see at least Alleckson Column:15 Lines:55-67 & Column:16 Lines:1-6)*
- *(h) transferring the diagnosis information received by the mounting server to the portable measurement unit (see at least Alleckson Column:15 Lines:55-67 & Column:16 Lines:1-6)*

Claim 69

The combination of Alleckson/Frid disclose all of the limitations of claim 19. Alleckson further discloses the following limitation:

- *the first communication port and the second communication port have concavo-convex electrodes attached thereto, so that the portable measurement unit is coupled with the cradle (see at least Alleckson Column:4 Lines:26-30).*

13. Claims 3, 34-39, 45, 46, 52-56, 58, 59, 65-68, 70, 72 and 73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alleckson view of Frid in further view of Tacklind et al. (US 5704366) (hereinafter Tacklind).

14. **Examiner's Note:** The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Claim 3

The combination of Alleckson/Frid disclose all of the limitations of claim 2. Frid further discloses the following limitation:

- *an emergency server having an emergency address capable of providing highly-reliable communication* (see at least Frid Fig:1 Items:10-22 & related text)

It would have been obvious to one of ordinary skill in the art to add these features into Alleckson. One of ordinary skill in the art would have added these features into Alleckson with the motivation of providing a more efficient, accurate, and reliable system for home healthcare monitoring. (see at least Frid Column:1 Lines:63-67).

Frid does not disclose the following limitation, however Tacklind, as shown does:

- *if an analysis of the biological measurement data results in an emergency situation* (see at least Tacklind Fig:4-D2 & related text)

It would have been obvious to one of ordinary skill in the art to add these features into Frid. One of ordinary skill in the art would have added these features into Frid with the motivation of providing a link to patients for more efficient healthcare monitoring in non-clinical environments. (see at least Tacklind Column:4 Lines:4-13).

Claim 34

Alleckson as shown, discloses the following limitations:

- *(a) allowing the cradle to perform biological measurement for diagnosing health of a user;* (see at least Alleckson Column:6 Lines:60-67 Column:7 Lines:1-5 & 60-67)
- *(b) allowing the signal processing module to convert a result of the biological measurement into biological measurement data;* (see at least Alleckson Column:9 Lines:58-67 Column:10 Lines:1-4)
- *(d) transferring the measurement information data including a part of the biological measurement data to the cradle by using the second communication module of the cradle, the first communication module of the portable measurement unit, and* (see at least Alleckson Column:4 Lines:38-55 Fig:1,2 & related text)

- *(e) transferring the measurement information data received by the cradle to the server by using the program included in the cradle and the second communication module of the cradle. (see at least Alleckson Column:4 Lines:38-55 Fig:1,2 & related text)*

Alleckson does not disclose the following limitation, however Frid, as shown does:

- *the program included in the cradle, the cradle being automatically operated when the portable measuring unit makes contact with the cradle, if step (c) determines that no emergency occurs; (see at least Frid Column:1 Lines:29-41 & Column:5 Lines:52-67)*

It would have been obvious to one of ordinary skill in the art to add these features into Alleckson. One of ordinary skill in the art would have added these features into Alleckson with the motivation of providing a more efficient, accurate, and reliable system for home healthcare monitoring. (see at least Frid Column:1 Lines:63-67).

Frid does not disclose the following limitation, however Tacklind, as shown does:

- *(c) determining whether or not an emergency occurs according to an analysis result of the biological measurement data measured by the portable measurement unit; (see at least Tacklind Fig:4-D2 & related text)*

It would have been obvious to one of ordinary skill in the art to add these features into Frid. One of ordinary skill in the art would have added these features into Frid with the motivation of providing a link to patients for more efficient healthcare monitoring in non-clinical environments. (see at least Tacklind Column:4 Lines:4-13).

Claim 35

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 34. Alleckson further discloses the following limitation:

- *the step of (f) transferring the measurement information data received by the server to a medical center or a communication terminal (see at least Alleckson Column:3 Lines:48-58)*

Claim 36

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 34. Alleckson further discloses the following limitations:

- *(d1) transferring an emergency signal to the cradle by wireless method by using the first communication module of the portable measurement unit, the second communication module of the cradle, (see at least Alleckson Claim:9)*
- *the program stored in the cradle, (see at least Alleckson Column:12 Lines:40-55)*
- *the cradle being automatically operated when the portable measurement unit is contacted with the cradle, if step (c) determines that an emergency occurs; and (see at least Alleckson Column:2 Lines:62-67 & Column:3 Lines:1-17)*
- *(d2) transferring the emergency signal received by the cradle to the server or an emergency server through the second communication module of the cradle. (see at least Alleckson Column:10 Lines:22-63)*

Claim 37

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 34. Alleckson further discloses the following limitation:

- *(d3) wirelessly transferring an emergency signal to the server or an emergency server through the first communication module of the portable measurement unit if step (c) determines that an emergency occurs (see at least Alleckson Claim:9)*

Claim 38

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 36. Alleckson further discloses the following limitation:

- *(d4) transferring the emergency signal received by the server or the emergency server to a medical center or a communication terminal (see at least Alleckson Column:10 Lines:22-63)*

Claim 39

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 38. Alleckson further discloses the following limitation:

- *(g1) allowing the medical center to transfer diagnosis information to the server or the emergency server; and (see at least Alleckson Column:15 Lines:55-67 & Column:16 Lines:1-6)*

Art Unit: 3626

- *(g2) transferring the diagnosis information received by the server or the emergency server to the portable measurement unit* (see at least Alleckson Column:15 Lines:55-67 & Column:16 Lines:1-6)

Claim 45

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 38. Alleckson further discloses the following limitation:

- *(g) allowing the medical center to transmit diagnosis information to the server or the emergency server;* (see at least Alleckson Column:15 Lines:55-67 & Column:16 Lines:1-6)
- *(h) transferring the diagnosis information received by the server or the emergency server to the cradle* (see at least Alleckson Column:15 Lines:55-67 & Column:16 Lines:1-6)
- *(i) transferring the diagnosis information received by the cradle to the portable measurement unit* (see at least Alleckson Column:15 Lines:55-67 & Column:16 Lines:1-6)

Claim 46

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 36. Alleckson further discloses the following limitation:

- *the cradle makes communication with the server or the emergency server on a basis of dual tone multi-frequency (DTMF)* (see at least Alleckson Fig:2 Items:106,114,128,130, & related text)

Examiner notes that it is understood by those skilled in the art that *dual tone multi-frequency* is an obvious component in using telephone lines and telephone devices.

Claim 52

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 34. Alleckson further discloses the following limitation:

- *the cradle includes a second connection unit connected to the portable measurement unit or the server and/or a second central processing unit for processing, analyzing, or storing data* (see at least Alleckson Fig:2 Items:108A, 114 & related text)

Claim 53

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 52. Alleckson further discloses the following limitation:

- *the data includes at least one selected from the group consisting of the measurement information data, environment data, indication data for indicating whether or not new data exist, range indication data for indicating a range of the new data, and error data* (see at least Alleckson Column:4 Lines:38-44)

Claim 54

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 53. Alleckson further discloses the following limitation:

- *the environment data includes a general address of the server and time for transferring the measurement information data* (see at least Alleckson Column:10 Lines:64-67 & Column:11 Lines:1-6)

Claim 55

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 54. Alleckson further discloses the following limitations:

- *the environment data further includes an emergency address of the server or an address of an emergency server for* (see at least Alleckson Column:10 Lines:64-67 & Column:11 Lines:1-6)
- *transferring the measurement information data if an analysis result of the biological measurement data measured by the portable measurement unit determines that an emergency occurs* (see at least Alleckson Column:10 Lines:64-67 & Column:11 Lines:1-6)

Claim 56

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 53. Alleckson further discloses the following limitation:

- *the environment data can be remotely established and modified through information transferred from the server* (see at least Alleckson Column:14 Lines:1-26)

Claim 58

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 34. Alleckson further discloses the following limitation:

- *the measurement information data temporarily stored in the portable measurement unit are delivered to the cradle when the portable measurement unit is coupled with the cradle (see at least Alleckson Column:11 Lines:51-64)*

Claim 59

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 34. Alleckson further discloses the following limitations:

- *the program included in the cradle includes a program of automatically transmitting/receiving the measurement information data and (see at least Alleckson Column:2 Lines:62-67 & Column:3 Lines:1-8)*
- *a program of automatically trying connection of the server and the cradle at time predetermined by the program included in the cradle or right after the portable measurement unit is contacted with the cradle (see at least Alleckson Column:2 Lines:62-67, Column:3 Lines:1-8 & Column:9 Lines:30-40)*

Alleckson does not disclose the following limitations, however Frid, as shown does:

- *the portable measurement unit is coupled with the cradle,*

It would have been obvious to one of ordinary skill in the art to add these features into Alleckson. One of ordinary skill in the art would have added these features into Alleckson with the motivation of providing a more efficient, accurate, and reliable system for home healthcare monitoring. (see at least Frid Column:1 Lines:63-67).

Claim 65

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 3. Alleckson further discloses the following limitation:

- *a medical center allowing a medical specialist to transfer diagnosis information about the measurement information data to the server or the emergency server by using the measurement*

information data received from the server or the emergency server (see at least Alleckson Column:3 Lines:48-66)

Claim 66

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 3. Alleckson further discloses the following limitation:

- *the cradle automatically transmits or receives the measurement information data and the diagnosis information to or from the server by a predetermined time interval (see at least Alleckson Column:2 Lines:62-67 & Column:3 Lines:1-17)*

Claim 67

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 3. Alleckson further discloses the following limitation:

- *the cradle automatically transmits or receives the measurement information data and (see at least Alleckson Column:2 Lines:62-67 & Column:3 Lines:1-17)*

Alleckson does not disclose the following limitations, however Tacklind, as shown does:

- *the diagnosis information to or from the server immediately after the portable measurement unit is coupled with the cradle (see at least Tacklind Claim:3)*

Claim 68

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 3. Alleckson further discloses the following limitation:

- *the cradle makes communication with the server or the emergency server by using dual tone multi-frequency (DTMF) (see at least Alleckson Fig:2 Items:106,114,128,130, & related text)*

Examiner notes that it is understood by those skilled in the art that *dual tone multi-frequency* is an obvious component in using telephone lines and telephone devices.

Claim 70

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 37. Alleckson further discloses the following limitation:

- *(d4) transferring the emergency signal received by the server or the emergency server to a medical center or a communication terminal (see at least Alleckson Column:10 Lines:22-63)*

Claim 72

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 37. Alleckson further discloses the following limitation:

- *the cradle makes communication with the server or the emergency server by using dual tone multi-frequency (DTMF) (see at least Alleckson Fig:2 Items:106,114,128,130, & related text)*

Examiner notes that it is understood by those skilled in the art that *dual tone multi-frequency* is an obvious component in using telephone lines and telephone devices.

Claim 73

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 45. Alleckson further discloses the following limitation:

- *the cradle makes communication with the server or the emergency server by using dual tone multi-frequency (DTMF) (see at least Alleckson Fig:2 Items:106,114,128,130, & related text)*

Examiner notes that it is understood by those skilled in the art that *dual tone multi-frequency* is an obvious component in using telephone lines and telephone devices.

15. Claims 43 and 71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alleckson view of Frid in further view of Tacklind, in further view of Shusterman (US 6471087 B1) (hereinafter Shusterman).
16. **Examiner's Note:** The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Claim 43

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 36. Shusterman further discloses the following limitation:

- *the emergency signal is automatically transmitted by confirming a position of the portable measurement unit through a caller identification if the portable measurement unit or the cradle tries to perform call-connection to an emergency address of the server or an address of the emergency server* (see at least Shusterman Column:3 Lines:65-67 & Column:4 Lines:1-14)

One of ordinary skill in the art would have added these features into Alleckson/Frid/Tacklind with the motivation of providing a more cost-efficient and effective system for patient-health monitoring in non-clinical settings. (see at least Shusterman Column:1 Lines:10-25).

Claim 71

The combination of Alleckson/Frid/Tacklind disclose all of the limitations of claim 37. Shusterman further discloses the following limitation:

- *emergency signal is automatically transmitted by confirming a position of the portable measurement unit through a caller identification if the portable measurement unit or the cradle tries to perform call-connection to an emergency address of the server or an address of the emergency server* (see at least Shusterman Column:3 Lines:65-67 & Column:4 Lines:1-14)

One of ordinary skill in the art would have added these features into Alleckson/Frid/Tacklind with the motivation of providing a more cost-efficient and effective system for patient-health monitoring in non-clinical settings. (see at least Shusterman Column:1 Lines:10-25).

Conclusion

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Rajiv J. Raj** whose telephone number is **571-270-3930**. The Examiner can normally be reached on Monday-Friday, 7:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **Luke Gilligan** can be reached at **571 272-6770**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to **571-273-8300**.

Hand delivered responses should be brought to the **United States Patent and Trademark**

Office Customer Service Window:

Randolph Building

401 Dulany Street

Alexandria, VA 22314.

Date: 05/15/08
/Rajiv J Raj/ Patent Examiner Art Unit 3626

/C Luke Gilligan/

Supervisory Patent Examiner, Art Unit 3626